

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN RE:

James Anthony Grossi

Debtor.

Bankruptcy No. 25-43866-MLO

Honorable Maria L. Oxholm

Chapter 13

**OAKLAND COUNTY TREASURER'S OBJECTION TO CONFIRMATION OF DEBTOR'S
PROPOSED CHAPTER 13 PLAN**

NOW COMES the Creditor, Oakland County Treasurer, by and through its counsel, Kevin C. Calhoun, and for the objection to the confirmation of the proposed Chapter 13 plan states as follows:

1. Creditor is the governmental entity responsible for the collection of property taxes that are owed to Oakland County, Michigan and various other governmental units in the county.

2. Pursuant to Michigan law, the amounts assessed for county, village, or township taxes automatically become a lien on the property subject to the tax. This secured lien, combined with the interest and other charges, remains on the property until paid. *See* MICH. COMP. LAWS ANN. §§ 211.40, 211.59. In addition, Creditor's lien is superior to all other liens, claims, and encumbrances on the property without regard to the nature or date of the lien, claim or encumbrance.

3. Debtor's proposed Chapter 13 Plan does not provide for the proper amount of interest to be paid to Creditor (Debtor's plan proposes 12.0 % interest – see paragraph 5.1 of the plan). Creditor has filed two claims in this case as follows: 1) \$16,765.49 for the 2023 real property taxes at 18 % interest per annum; and 2) \$15,229.96 for the 2024 taxes at 12% interest per annum.

4. Creditor objects to the treatment of its first priority secured claim pursuant to Debtor's proposed Chapter 13 Plan. Creditor specifically requests that Debtor's plan provide for the payment, through the proposed plan, of the entire amount of its secured claim as follows: 1) 18% per annum for the 2023 taxes in the amount of \$16,765.49; and 2) 12% per annum for the 2024 taxes in the amount of

\$15,229.96; and 3) that Creditor retain its secured lien on the property pursuant to 11 U.S.C. § 1325(a)(5)(B)(i)(I) until paid in full.

WHEREFORE, Creditor asks that this Court deny confirmation of Debtor's proposed Chapter 13 Plan.

Respectfully submitted,

/s/ Kevin C. Calhoun
Kevin C. Calhoun (P55592)
Calhoun & Di Ponio, PLC
Attorneys for the Oakland County Treasurer
29828 Telegraph Road
Southfield, MI 48034-1338
(248) 228-2200
kevin@lawyermich.com

Dated: May 7, 2025

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PROOF OF SERVICE

Kevin C. Calhoun certifies that on May 7, 2025 he filed the **Oakland County Treasurer's Objection to Confirmation of Debtor's Proposed Chapter 13 Plan** and this **Proof of Service** electronically using the ECF document filing system for the Bankruptcy Court for the Eastern District of Michigan and/or by placing these documents in an envelope with sufficient postage attached and depositing them in a United States mail receptacle in Southfield, Michigan to:

Afan Bapacker
Debtor's Attorney

Tammy L. Terry
Chapter 13 Trustee

/s/ Kevin C. Calhoun
Kevin C. Calhoun